

REMARKS

The Office action of May 19, 2004 has been received and its contents carefully noted.

In amended Figure 3, redundant element numeral "16" has been changed to "15".

Claims 1-15 are pending in the application. Claim 1 has been amended. Claims 11-15 have been added without the addition of any new matter.

Claims 1-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Siddiqui et al. ("Siddiqui") (U.S. Patent No. 6,292,666) in view of Lambert et al. ("Lambert") (U.S. Patent No. 6,470,447). Claim 10 stands rejected under § 103(a) as being unpatentable over Siddiqui in view of Lambert and further in view of Halminen (U.S. Patent No. 6,477,378). Applicants respectfully traverse these rejections, and requests allowance thereof in the continuation prosecution application for the following reasons.

The Claims are Patentable Over the Cited References

The Combination of Siddiqui and Lambert is Improper

The combination of Siddiqui and Lambert is improper and a prima facie case of obviousness is not established, in accordance with MPEP § 2143/2143.01, as there is no suggestion or motivation, either in the references or to one of ordinary skill in the art, to combine the references. In accordance with MPEP § 2143.01, the Office is also reminded that the mere fact that two

references can be combined is not enough to establish a prima facie case of obviousness as there must still be some teaching or suggestion in the references to do so.

Siddiqui discloses a telecommunications system and method that uses a mobile station that updates its location periodically to maintain a current country identity/location for better call-setup and call routing (e.g., use of international numbering format instead of national numbering format when a country border is crossed). On the other hand, Lambert discloses a method to conform mobile operation to legislative requirements when crossing a country border during operation. Particularly, Lambert discloses changing the cryptographic technique (e.g., encryption/decryption signatures) for mobile communication when crossing country borders.

The subject matter of Siddiqui, changing mobile operation for more efficient call setup and routing when transitioning countries, bears little relation to the subject matter disclosed by Lambert, changing cryptographic scheme of the mobile operation when transitioning countries. While both references do relate to changing mobile operation when crossing country borders, there is a significant difference between changing wireless call setup to an international numbering plan (e.g., allowing a user to reach a Germany telephone number when dialing after crossing over into Holland) as disclosed by Siddiqui and changing encryption/decryption techniques for coding/decoding of wireless

communications when crossing country borders as disclosed by Lambert.

Simply put, the disclosures of Siddiqui and Lambert are significantly distinct and these references lack any suggestion or motivation to combine as required to establish a prima facie case of obviousness in accordance with § 2143.

Claims 1-9 are not made obvious by Siddiqui and Lambert

Claims 1-9 stand rejected under § 103(a) in view of Siddiqui and Lambert. Further to the above-mentioned argument, the combination of Siddiqui and Lambert still fails to disclose the features recited in these claims such as a radio communications device including a selection unit for selecting a radio communication system corresponding to a domain, to which a current position belongs, on the basis of said current position detected by a position detector, said domain information stored in a memory and the radio communication system information corresponding to said domain, and a radio communication unit for performing at least transmissions on the basis of a radio communication system selected by a selection unit.

Siddiqui makes no mention of these features as in contrast Siddiqui discloses a telecommunications system and method that uses a mobile station to detect a country transition and changes the call setup in accordance with an efficient (e.g., international) numbering plan to make and complete future mobile

calls. (see col. 2, lines 44-56). Specifically, Siddiqui states that "...if a mobile subscriber crosses a boundary between two countries, this information may not be transmitted to the mobile subscriber...having knowledge of these boundaries may help the mobile subscriber in making originating calls as to which dialing plan is applicable." (see col. 2, lines 44-51).

The claimed invention recites selecting a radio communication system corresponding to a domain, to which a current position belongs, on the basis of said current position detected by a position detector which is significantly distinct from changing a call setup numbering plan as disclosed by Siddiqui.

Similarly, Lambert fails to disclose the recited feature of selecting a radio communication system corresponding to a domain, to which a current position belongs, on the basis of said current position detected by a position detector, the radio communication system information corresponding to said domain, and a radio communication unit for performing at least transmissions on the basis of a radio communication system selected by a selection unit.

Lambert discloses a mobile device which changes its cryptographic scheme when crossing a country border (see col. 2, lines 34-43) in contrast to the claimed invention of selecting a radio communication system corresponding to a domain, to which a current position belongs, on the basis of said current position detected by a position detector, the radio communication system

information corresponding to said domain. Specifically, Lambert states that "...the present invention provides a method...for dynamically controlling the performance of operations of a mobile device in accordance with legislative requirements of the particular location of the mobile device...the controlled operations are preferably...encryption and decryption or applying of digital signatures." (see col. 2, lines 34-43).

Changing encryption/decryption schemes when crossing country borders as disclosed by Lambert is significantly distinct from the recited feature of selecting a radio communication system corresponding to a domain, to which a current position belongs, on the basis of said current position detected by a position detector, the radio communication system information corresponding to said domain and performing transmissions based on the selected radio communication system.

Siddiqui and Lambert, either alone or in combination, fail to disclose the recited feature making the claimed invention patentably distinct and non-obvious from the cited reference.

Claim 10 is not made obvious by Siddiqui, Lambert, and Halminen

Claim 10 stands rejected under § 103(a) in view of Siddiqui, Lambert, and Halminen. Siddiqui, Lambert, and Halminen, either alone or in combination, fail to disclose the features recited in these claims such as a radio communications device including a selection unit for selecting a radio communication system

corresponding to a domain, to which a current position belongs, on the basis of said current position detected by a position detector, the radio communication system information corresponding to said domain, and a radio communication unit for performing at least transmissions on the basis of a radio communication system selected by a selection unit.

As contended above, Siddiqui and Lambert both fail to disclose the recited features. Further, Halminen fails to disclose the recited features as this reference discloses a method limiting frequency bands used by a low power radio device (see col. 2, lines 54-61).

Siddiqui, Lambert, and Halminen, either alone or in combination, fail to disclose the recited features making the claimed invention patentably distinct and non-obvious from the cited references.

Conclusion

In view of the amendments and remarks submitted above, it is respectfully submitted that all of the remaining claims are allowable and a Notice of Allowance is earnestly solicited. If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayments to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees. The Examiner is invited to contact the

undersigned at (703) 205-8000 to discuss the application.

Respectfully submitted,

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Attachment: One (1) Replacement Drawing (Fig. 3)